

**Notice of Allowability**

Application No.

09/779,071

Examiner

Haresh Patel

Applicant(s)

SWILDENS, ERIC SVEN-JOHAN

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--


All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/18/07.
2. ☒ The allowed claim(s) is/are 1-13, 15-28 and 30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

  
Haresh Patel

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 8/31/07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

1. Claims 1-13, 15-28 and 30 are subject to examination. Claim 14 and 29 are cancelled.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given in a telephone interview with Mr. Kirk Wong on August 31, 2007.

### ***Amendments to the Specification***

4. Applicant's replacement of the title, at line 1 page 1 of the specification, dated 9/13/2004, is acknowledged.
5. Please amend the paragraph at line 7 page 1 of the specification as below:  
  
The present application claims priority to U.S. Provisional Application No. 60/188,142 filed March 10, 2000 (~~Attorney Docket No. 4835-US~~), commonly owned, and hereby incorporated by reference for all purposes.

### ***Amendments to the Claims***

6. Please amend claims 1, 2, 4-13, 16, 17 and 19-28 as attached.

***Priority***

7. Applicant's claim for domestic priorities under 35 U.S.C. 119(e), i.e., application number 06/188,142 dated 03/10/2000, is acknowledged.

***Allowable Subject Matter***

8. Claims 1-13, 15-28 and 30 are allowed.
9. The following is an examiner's statement of reasons for allowance:

Applicant's invention claim a process and an apparatus to route packets across a network through a decrypting load balancing array of servers along with decrypting and encrypting SSL requests and performing SSL session scheduling utilizing a scheduler. The array of servers is integrated with a global content delivery network and an automatic determination is made on when to use the content delivery network instead of the array of servers to deliver content to a requesting user.

The invention provides load balancing and network management of traffic through a cluster of servers that avoids the typical single server bottleneck. The invention utilizes a Pentaflow approach to network traffic management. Pentaflow extends across an array of Decrypting Load Balancing Array servers with back end Web servers. One of the DLBA servers acts as a scheduler for the array. All the incoming requests are routed through the scheduler. The scheduler routes and load balances the traffic to the other DLBA servers and itself in the array. Each DLBA server routes and load balances the incoming request packets to a required back end Web servers. Responses to the requests from the back end Web servers are sent back to the DLBA server, which forwards the response directly to the requesting client. Each DLBA server

has the ability to decrypt SSL sessions in a distributed fashion and then schedule sessions to back end Web servers based on a cookie or session ID. SSL packets are decrypted in the DLBA server before being routed to a back end Web server. This allows the DLBA server to schedule SSL sessions to back end Web servers based on a cookie or session ID. Response packets are encrypted by the DLBA server before being forwarded to the client. URL based scheduling and hash scheduling of request packets is supported by the array of servers. Markup language is used to provide content from the integrated environment to a requesting user. Both HTTP and HTTPs traffic including HTTP GET requests is supported by the array of servers (pages 3 and 4 of the specification).

The prior arts do teach well-known usage of load balancing and scheduling techniques. (page 2 of the specification). Zisapel et al., 2002/0103846 A1, Aug. 1, 2002, discloses implementation of routing packets through a load balancing array of servers across a network in a computer environment (paragraph 33), a scheduler that is designated as active scheduler for a load balancing array (paragraph 33), routing and load balancing the request packet to a load balancing server (paragraph 34), routing and load balancing the request packet to a back end Web server (paragraph 34), the back end Web server's response packet to the request packet is sent to the load balancing server (paragraph 8); sending the response packet directly to the requesting client (paragraph 8). Hassett et al., 6,173,311, discloses a request containing multiple packets (col., 3) and a scheduler supporting multiple clients (e.g., col., 3). Chiu et al., 6,701,363 discloses parsing outgoing HTML pages to determine select content to be served by a content delivery network and modifying URLs for the select content in the HTML page in a response packet in order to serve the select content from the content delivery network (col., 4). However, a

Art Unit: 2154

novel way of handling both HTTP and HTTPs traffic including HTTP GET requests, in combination with decrypting and encrypting SSL requests and performing SSL session scheduling utilizing a scheduler of the array of servers of the integrated environment containing a global content delivery network and automatically determining on when to use the content delivery network instead of the array of servers to deliver content utilizing a markup language to a requesting user, is not disclosed in the prior arts. Therefore, the claims are allowable over the art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Art Unit: 2154

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 Haresh Patel

Haresh Patel

September 1, 2007